

# Town of Lunenburg



## Finance Committee Report Town Meeting Warrant

# FISCAL YEAR 2008

Annual Town Meeting

**MAY 5, 2007**

Lunenburg High School Auditorium

Annual Town Election

**MAY 19, 2007**

T.C. Passios Elementary School

**PLEASE BRING THIS WARRANT WITH YOU TO TOWN MEETING**

## **FINANCIAL TERMS**

**UNRESERVED FUND BALANCE** - Previously referred to as Surplus Revenue, Excess and Deficiency Account, or E & D Account. The amount by which the cash, accounts receivable and other assets exceed the liabilities and reserves.

**FUND BALANCE AVAILABLE FOR APPROPRIATION** - (Free Cash) Unreserved Fund Balance less any uncollected prior year's property taxes, and less any unprovided for or overdrawn accounts. This must be certified as available funds by the State Director of Accounts before it can be voted in lieu of taxes.

**PROVISION FOR ABATEMENTS AND EXEMPTIONS** - (Overlay) Provision by Assessors for abatements and exemptions. May not exceed 5% of the tax levy unless otherwise authorized by the State Tax Commission.

**FUND BALANCE RESERVED FOR ABATEMENTS AND EXEMPTIONS SURPLUS** - (Overlay Reserve) Any unused balances in the Provision for Abatements and Exemptions Account is available for appropriation.

**RESERVE FUND** - This fund is used by the Finance Committee to provide for extraordinary or unforeseen expenditures. The total amount appropriated in any one year may not exceed 5% of the Tax Levy. No direct drafts against this fund can be made, but transfers from the fund can be authorized by the Finance Committee.

**STABILIZATION FUND** - Monies placed (voted) into a Stabilization Fund may be appropriated at an Annual Town Meeting by a two-thirds vote for any lawful purpose. This account is sometimes referred to as the "Town's savings account".

**CHERRY SHEET** - The Cherry Sheet is named for the cherry-colored paper on which the State uses to notify the cities and towns of the estimated County and State Assessments and the estimated State distributions to be used in determining the Tax Rate as an offset to amounts that would otherwise be raised by taxation.

## ***CITIZEN'S CHECK LIST - To be considered on each vote:***

- ✓ **IS IT NECESSARY?** Or is it something that is not really needed or perhaps already being provided by a private or public group?
- ✓ **CAN WE AFFORD IT?** Remember, there is no limit to what we would like, but there is a limit on what we can afford.
- ✓ **WHAT WILL IT COST ULTIMATELY?** Many proposals are like icebergs -- only a small fraction of the total cost is apparent on the surface.
- ✓ **HOW WILL IT AFFECT BASIC LIBERTIES?** If it imposes unreasonable or illegal restraints on your life or that of others, it should be vigorously opposed.
- ✓ **IS IT IN THE BALANCED BEST INTEREST OF ALL?** If it is designed to benefit a small group or special interest, while taking unfair disadvantage of others, work for its defeat.
- ✓ **IS IT A "FOOT-IN-THE-DOOR" PROPOSITION?** Comprising a little now may bring a oppressive burden later, either in more regulations or more taxes or both.
- ✓ **DOES IT PLACE TOO MUCH POWER IN THE HANDS OF ONE INDIVIDUAL OR GROUP?** Once decisive power is granted to a non-elected public official, a commission or a municipal authority, the private citizens lose effective control.
- ✓ **DOES IT RECOGNIZE THE IMPORTANCE OF THE INDIVIDUAL AND MINORITY OPINION?**
- ✓ The is a cornerstone of our Republic.

# ***FINANCE COMMITTEE REPORT***

The message from the Finance Committee for the past 4 or 5 years has noted that the cost of operating the town has increased and we have put a spotlight on health insurance, utilities, state mandates and investments in new facilities and infrastructure. We are also still working back from the major State Aid cuts made in FY '03. Last year in our public hearing and in our report we stated that the time was coming to ask the voters to approve an increase in the tax levy limit. The time is now here.

The first reaction we all have to the suggestion of an override is a heartfelt and emotional NO! No one wants to pay more in taxes. We ask that you step back from that emotional response and consider the facts. We have debated and analyzed the need this year for the override and have brought the request to \$1,903,233. We hope you have followed the discussions and department head presentations closely. We were not unanimous in support of the override when we started, but we are at the end.

We, as a town, should be proud. After a 35 year lull, we have built 3 successful new buildings, brought much discussed sewer service to areas of town and through the generosity and hard work of members of our community we have the Teen Center, a new Kids Kingdom and the Track and Field facility closing in on completion. We have also saved money in the stabilization fund to protect our bond rating and contain borrowing costs.

One part of the dilemma we face is the operating cost of these buildings voted for by taxpayers has increased with size, number and usage. Demand for all services has also grown with the population while staffing has lagged. Capital equipment purchases have been deferred, though we are chipping away at the backlog. Like all towns, our School department costs grow exponentially based on special needs, state and federal mandates, transportation and accreditation requirements. Simple inflation drives costs at a greater rate than 2 ½% increases can cover.

Some of the challenges we face are:

- Schools would see a major increase in class size with fewer teachers and support staff to educate our children.
- Without adequate staffing, students with special needs could require placement at more expensive outside programs.
- The Police Department has 12 officers and is currently understaffed by 5 officers according to state standards. That's before pending new developments are factored in.
- We are fortunate to have a call fire department but additional staff is needed in order to decrease emergency response times and keep pace with increased call load.
- Our roads, drainage systems, vehicles and buildings need repairs and proper maintenance. The DPW budget has been cut for years as the town grew and state mandates increased.
- The library is a huge success with great increase in usage, but no growth in staffing causing long waits and stressed staff.
- Our Technology, Building Inspector and Council on Aging need additional staffing or hours to meet needs.

In addition to staffing the departments need basic capital equipment such as trucks, breathing apparatus, mowers, roofs, lighting, snow removal equipment, fire trucks, cruisers etc. to operate efficiently. For the past few years the town has not been able to fully fund capital needs. This year is no different. Without the override for FY08 we will only be able to meet some of the capital requests by using free cash and taking funds from the stabilization fund. The needs do not go away. Equipment breaks down, repairs and emergency replacements cost more and productivity is lost.

Town employees have worked through these short falls working short staffed and under equipped. They have also agreed to negotiated increases in their share of health insurance costs. With that said, an over ride will not reduce the need for further cost savings being identified and implemented by the town. Increased efficiency will be required to sustain the over ride's benefit. We also need to actively redeploy or sell our empty or underutilized buildings and get them on the tax rolls and off of the expenditure lines.

The override plan is being presented to you, the taxpayer to address our existing needs and to position our community to meet the challenges we will face together in the years to come.

David Matthews, Chair  
John Male  
Barbara Reynolds  
Lars Widstrand

Brian Laffond, Vice Chair  
Joseph Pimentel  
David Rodgers

# ***CAPITAL PLANNING REPORT***

## **CRITERIA: MANDATES, SAFETY, NEED, CRISIS, COST EFFECTIVENESS AND ABILITY TO FUND**

The Capital Planning Committee is presenting the FY08 Plan to the Chief Administrative Financial Officer for a total of \$1,409,257.00. In that amount is the FY Yearly Plan for \$649,257.00 and the Capital Program Plan for \$760,000.00. There are two articles for this plan on the Town Warrant.

The FY08 yearly plan includes the capital needs of all governmental departments for the coming year. This includes the Administration, DPW, Police, Fire, Schools, Library, Technology, and Land Use Departments. The Capital Program plan depicts large items over the cost of \$100,000.00.

The following plans are not the original plans of needs as submitted by the Departments. There were extensive reviews and many meetings with Departments Heads. This, coupled with the application of the above criteria through a prioritization process, has brought the plan to the above amounts.

The Committee's concerns are the same as in past years. Drastic cutting of the Capital Plans bring the consequences of deferral. The item needed this year moves to the next year's request. Deferment produces a deficiency in capital items today, a backlog of capital items, inflation in the cost, increases in the operating budget and lesser service to the public.

The most difficult criteria for the Committee to meet is "Ability to Fund". Capital Expenditures are important to the community in services. Those services affect every community member on a daily basis. Funding one third of the presented Capital Plans is not meeting the ability to adequately provide those services.

The Committee is aware that further cuts may be required depending on the vote of the people, but feels that this years' plans are already cut to the bare necessity. The Committee notes that the following presentation has been thoroughly reviewed.

### **FY 2008 Capital Plan**

Department	Item	Amount
DPW	renovate mechanics bay to DPW offices	\$ 50,000.00
DPW	steel span storage structure	\$ 50,000.00
DPW	4x4 utility pick-up w/plow – facilities	\$ 35,000.00
Fire Dept	4x4 incident command/chief's vehicle	\$ 30,000.00
Fire Dept	26 self contained breathing apparatus	\$137,280.00
Police Dept	thirty-five sets duty gear	\$ 10,675.00
Police Dept	one unmarked cruiser	\$ 28,000.00
School Dept	ES cafeteria tables	\$ 15,500.00
School Dept	ES roof section	\$ 10,000.00
School Dept	THMS ADA hardware	\$ 30,300.00
School Dept	THMS parking lot lighting	\$ 17,666.00
School Dept	District Wide – skid steer loader	\$ 32,000.00
School Dept	removal of oil tank	\$ 30,000.00
Technology	annual replacement of Town technology items - + - include copier	\$ 81,836.00
Technology	Arc View and Cartographic purchase to utilize GIS system	\$ 16,000.00
Technology	fiber connection for 9 buildings to replace antiquated wireless system	\$ 75,000.00
<b>TOTAL</b>		<b>\$649,257.00</b>

### **Capital Program**

DPW	6 wheel dump truck w/plow & sander	\$110,000.00
DPW	multipurpose snow/sweep/trim	\$100,000.00
Fire Deptrescue	pumper	\$550,000.00
<b>Article for Borrowing</b>		<b>\$760,000.00</b>

**TOTAL                      \$1,409,257.00**

Marion M. Benson, Planning Director  
David Matthews, Finance Committee  
Steven deBettencourt, Board of Selectmen

Elaine Murphy, Member at Large  
Milree Keeling, School Committee

PROJECTED REVENUES/EXPENDITURES FY 2008 - CAFO/FINANCE COMMITTEE RECOMMENDATIONS						
	FY07 BUDGETED	FY08 BUDGETED	EXPENDITURES	FY07 BUDGETED	FY08 CAFO/ FIN COMM REC	FY08 CAFO/FIN COMM W/ OVERRIDE
<b>PROPERTY TAXES</b>						
Prior Year Levy Limit	\$ 14,138,629.00	\$ 14,787,169.00	Maturing Debt	\$ 1,543,534.00	\$ 1,701,296.00	\$ 1,701,296.00
2 1/2% Increase	\$ 353,466.00	\$ 369,679.00	Interest on Debt	\$ 938,442.00	\$ 960,109.00	\$ 960,109.00
Estimated New Growth	\$ 295,074.00	\$ 290,000.00	Gen Gov Unclassified	\$ 2,093,302.00	\$ 2,263,456.00	\$ 2,313,456.00
Debt Exclusions	\$ 814,208.88	\$ 797,970.00	General Government	\$ 1,095,998.00	\$ 1,162,602.00	\$ 1,227,125.00
			Central Purchasing	\$ 56,950.00	\$ 64,200.00	\$ 64,200.00
<b>TAXES: Total</b>	<b>\$ 15,601,377.88</b>	<b>\$ 16,244,818.00</b>	Protection	\$ 1,936,592.00	\$ 2,107,899.00	\$ 2,353,651.00
			Health & Sanitation	\$ 60,481.00	\$ 63,580.00	\$ 69,580.00
<b>STATE PROVIDED FUNDS</b>			Public Assistance	\$ 86,630.00	\$ 90,292.00	\$ 90,292.00
Cherry Sheet/State Aid	\$ 5,856,249.00	\$ 6,259,952.00	Department of Public Works	\$ 1,175,909.00	\$ 1,106,831.00	\$ 1,261,337.00
Police Career Incentive	\$ 57,045.00	\$ 57,712.00	Schools	\$ 14,224,035.00	\$ 14,793,802.00	\$ 15,811,912.00
<b>Subtotal State Aid</b>	<b>\$ 5,913,294.00</b>	<b>\$ 6,317,664.00</b>	Library	\$ 263,108.00	\$ 283,763.00	\$ 316,207.00
			Recreation	\$ -	\$ -	\$ -
<b>PROJECTED LOCAL RECEIPTS</b>			<b>Omnibus Total</b>	\$ 23,474,981.00	\$ 24,597,830.00	\$ 26,169,165.00
Local Receipts	\$ 2,304,800.00	\$ 2,400,215.00				
<b>Subtotal Receipts</b>	<b>2,304,800.00</b>	<b>2,400,215.00</b>	<b>CHERRY SHEET CHARGES</b>			
			Cherry Sheet Offset	\$ 481,218.00	\$ 509,137.00	\$ 509,137.00
<b>OTHER REVENUES</b>			State & County	\$ 130,754.00	\$ 140,484.00	\$ 140,484.00
Overlay Surplus	\$ 25,024.94	\$ -	Voting Machines		\$ -	\$ -
Free Cash (Unappropriated \$341,638.46)	\$ 971,023.54	\$ 200,000.00	Choice/Charter Assessments	\$ 690,551.00	\$ 687,880.00	\$ 687,880.00
Municipal Relief Aid FY05	\$ -	\$ -				
Unexpended Articles	\$ -	\$ -	<b>Subtotal CS Charges</b>	\$ 1,302,523.00	\$ 1,337,501.00	\$ 1,337,501.00
Borrowing	\$ 491,000.00	\$ 760,000.00				
Stabilization Fund (\$1,358,000 before approp)	\$ 32,079.00	\$ 250,000.00	<b>Allow for Abatements/Exemptions</b>	\$ 99,549.94	\$ 100,000.00	\$ 100,000.00
MSBA Reimbursements	\$ 804,425.12	\$ 816,820.00	<b>Worc Cty Retirement Assessment</b>	\$ 435,584.00	\$ 438,971.00	\$ 438,971.00
			<b>Tax Title</b>	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00
			<b>Capital Articles</b>	\$ 32,079.00	\$ 1,077,359.00	\$ 1,409,257.00
<b>Trust &amp; Special Revenue Funds</b>			<b>General Fund Articles</b>	\$ 23,373.00	\$ 25,700.00	\$ 25,700.00
Sewer Enterprise	\$ 20,000.00		<b>Teachers Deferral</b>	\$ 18,108.00	\$ 18,108.00	\$ 18,108.00
Sewer Betterments	\$ 512,688.00	\$ 680,080.00				
<b>Subtotal Other Revenue</b>	<b>\$ 2,856,240.60</b>	<b>\$ 2,706,900.00</b>				
			<b>Capital Program</b>	\$ 741,000.00	\$ -	\$ -
			<b>May 2005 STM Appropriations</b>		\$ -	\$ -
<b>Other Financing Sources</b>			<b>Transfer to Stabilization Fund</b>	\$ 500,000.00	\$ -	\$ -
Sewer Project	\$ -	\$ -	<b>Legal Expenses Deficit</b>		\$ -	\$ -
Capital Improvement Fund	\$ -	\$ -	<b>Snow &amp; Ice Deficit</b>	\$ 42,880.13	\$ -	\$ -
Septic Loan Revenue	\$ 10,872.00	\$ 10,872.00	<b>Sanitary Landfill Repair</b>		\$ 75,000	\$ 75,000
			<b>Capital Improvement Fund</b>			
			<b>Prior Year Expense</b>	\$ 6,506.41	\$ -	\$ -
			<b>Design/Construct Sewers STM/ATM</b>		\$ -	\$ -
			<b>Nov 2005 STM Appropriations</b>		\$ -	\$ -
			<b>FY04 Allowance Abate/Exempt</b>		\$ -	\$ -
			<b>Transfer to Stabilization Fund 11/15</b>		\$ -	\$ -
<b>TOTAL REVENUE</b>	<b>\$26,686,584.48</b>	<b>\$27,680,469.00</b>	<b>TOTAL EXPENDITURES</b>	<b>\$ 26,686,584.48</b>	<b>\$ 27,680,469.00</b>	<b>\$ 29,583,702.00</b>
			<b>Credit/(Debit)</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>(\$1,903,233.00)</b>

# **FY 2008 Projected Omnibus Budget**

<u>Line No.</u>	<u>Expended FY06</u>	<u>Budgeted FY07</u>	<u>CAFO/Fin Comm Rec FY08</u>	<u>\$ chg FY07 to FY08</u>	<u>% chg FY07 to FY08</u>	<u>CAFO/Fin Comm Rec w/ override</u>	<u>\$ chg FY07 to FY08</u>	<u>% chg FY07 to FY08</u>
<u>Maturing Debt &amp; Interest</u>								
1 Principal-Loans	\$ 1,536,013.00	\$ 1,543,534.00	\$ 1,701,296.00	\$ 157,762.00	10.22%	\$ 1,701,296.00	\$ 157,762.00	10.22%
2 Interest -Loans	\$ 907,393.00	\$ 873,328.00	\$ 945,109.00	\$ 71,781.00	8.22%	\$ 945,109.00	\$ 71,781.00	8.22%
3 Interest-Temporary Loans	\$ 78.00	\$ 65,114.00	\$ 15,000.00	\$ (50,114.00)	-76.96%	\$ 15,000.00	\$ (50,114.00)	-76.96%
<b>Total Maturing Debt</b>	<b>\$ 2,443,484.00</b>	<b>\$ 2,481,976.00</b>	<b>\$ 2,661,405.00</b>	<b>\$ 179,429.00</b>	<b>7.23%</b>	<b>\$ 2,661,405.00</b>	<b>\$ 179,429.00</b>	<b>7.23%</b>
<u>Unclassified</u>								
4 Liability Insurance	\$ 158,764.00	\$ 167,262.00	\$ 176,000.00	\$ 8,738.00	5.22%	\$ 176,000.00	\$ 8,738.00	5.22%
5 Workers Compensation	\$ 64,620.00	\$ 73,486.00	\$ 90,983.00	\$ 17,497.00	23.81%	\$ 90,983.00	\$ 17,497.00	23.81%
6 Group Health Insurance	\$ 1,266,574.00	\$ 1,475,719.00	\$ 1,519,399.00	\$ 43,680.00	2.96%	\$ 1,569,399.00	\$ 93,680.00	6.35%
7 Group Life Insurance	\$ 11,622.00	\$ 16,000.00	\$ 16,000.00	\$ -	0.00%	\$ 16,000.00	\$ -	0.00%
8 Physicals	\$ 1,925.00	\$ 2,200.00	\$ 2,200.00	\$ -	0.00%	\$ 2,200.00	\$ -	0.00%
9 Print Town Reports	\$ 7,126.00	\$ 8,700.00	\$ 8,700.00	\$ -	0.00%	\$ 8,700.00	\$ -	0.00%
10 Mont Reg Planning Assess	\$ 2,402.00	\$ 2,463.00	\$ 2,524.00	\$ 61.00	2.48%	\$ 2,524.00	\$ 61.00	2.48%
11 Historical Commission	\$ 39.00	\$ 958.00	\$ 850.00	\$ (108.00)	-11.27%	\$ 850.00	\$ (108.00)	-11.27%
12 Public Buildings	\$ 75,438.00	\$ 81,300.00	\$ 78,800.00	\$ (2,500.00)	-3.08%	\$ 78,800.00	\$ (2,500.00)	-3.08%
13 Reserve Fund	\$ 82,603.00	\$ 81,000.00	\$ 150,000.00	\$ 69,000.00	85.19%	\$ 150,000.00	\$ 69,000.00	85.19%
13A Salary Reserve Fund	\$ 29,897.00	\$ 26,214.00	\$ 45,000.00	\$ 18,786.00	71.66%	\$ 45,000.00	\$ 18,786.00	71.66%
14 Unemployment Expense	\$ 7,870.00	\$ 8,000.00	\$ 8,000.00	\$ -	0.00%	\$ 8,000.00	\$ -	0.00%
15 Medicare - Town's Share	\$ 158,035.00	\$ 150,000.00	\$ 165,000.00	\$ 15,000.00	10.00%	\$ 165,000.00	\$ 15,000.00	10.00%
16 MacGregor Pension	\$ -	\$ -	\$ -	\$ -	-	\$ -	\$ -	-
<b>Total Gen Gov Unclassified</b>	<b>\$ 1,866,915.00</b>	<b>\$ 2,093,302.00</b>	<b>\$ 2,263,456.00</b>	<b>\$ 170,154.00</b>	<b>8.13%</b>	<b>\$ 2,313,456.00</b>	<b>\$ 220,154.00</b>	<b>10.52%</b>
<u>General Government</u>								
17 Finance Committee Expense	\$ 250.00	\$ 635.00	\$ 500.00	\$ (135.00)	-21.26%	\$ 500.00	\$ (135.00)	-21.26%
18 Annual Town Audit	\$ 26,000.00	\$ 28,000.00	\$ 30,000.00	\$ 2,000.00	7.14%	\$ 30,000.00	\$ 2,000.00	7.14%
19 Charter Review Committee	\$ 664.00	\$ -	\$ 1,000.00	\$ 1,000.00	-	\$ 1,000.00	\$ 1,000.00	-
20 Selectmen's Administration	\$ 106,710.00	\$ 113,050.00	\$ 116,810.00	\$ 3,760.00	3.33%	\$ 116,810.00	\$ 3,760.00	3.33%
21 Selectmen Salaries	\$ 500.00	\$ 500.00	\$ 500.00	\$ -	0.00%	\$ 500.00	\$ -	0.00%
22 C.A.F.O. Salary	\$ 85,000.00	\$ 85,000.00	\$ 85,000.00	\$ -	0.00%	\$ 85,000.00	\$ -	0.00%
23 C.A.F.O. Expense	\$ 9,774.00	\$ 24,800.00	\$ 24,800.00	\$ -	0.00%	\$ 24,800.00	\$ -	0.00%
24 Town Accountant	\$ 121,779.00	\$ 135,758.00	\$ 147,070.00	\$ 11,312.00	8.33%	\$ 147,070.00	\$ 11,312.00	8.33%

25	Treasurer's Administration	\$ 63,641.00	\$ 72,147.00	\$ 72,733.00	\$ 586.00	0.81%	\$ 72,733.00	\$ 586.00	0.81%
25A	Bond Issuance Costs	\$ 5,072.00	\$ 15,000.00	\$ 15,000.00	\$ -	0.00%	\$ 15,000.00	\$ -	0.00%
26	Banking Charges	\$ 14,800.00	\$ 15,500.00	\$ 15,500.00	\$ -	0.00%	\$ 15,500.00	\$ -	0.00%
27	Tax Collector's Admin	\$ 80,589.00	\$ 71,685.00	\$ 75,253.00	\$ 3,568.00	4.98%	\$ 75,253.00	\$ 3,568.00	4.98%
28	Assessor's Salaries	\$ 300.00	\$ 300.00	\$ 300.00	\$ -	0.00%	\$ 300.00	\$ -	0.00%
29	Assessor's Administration	\$ 134,556.00	\$ 102,381.00	\$ 104,973.00	\$ 2,592.00	2.53%	\$ 104,973.00	\$ 2,592.00	2.53%
30	Sealer of Weights & Measures	\$ 4,745.00	\$ 3,350.00	\$ 3,350.00	\$ -	0.00%	\$ 3,350.00	\$ -	0.00%
31	Technology Director	\$ 151,452.00	\$ 150,595.00	\$ 167,068.00	\$ 16,473.00	10.94%	\$ 196,091.00	\$ 45,496.00	30.21%
32	Legal Expenses	\$ 121,773.00	\$ 75,000.00	\$ 95,000.00	\$ 20,000.00	26.67%	\$ 125,000.00	\$ 50,000.00	66.67%
33	Town Clerk Salary	\$ 13,113.00	\$ 13,520.00	\$ 13,520.00	\$ -	0.00%	\$ 13,520.00	\$ -	0.00%
34	Town Clerk's Administration	\$ 28,852.00	\$ 40,648.00	\$ 43,341.00	\$ 2,693.00	6.63%	\$ 43,341.00	\$ 2,693.00	6.63%
35	Elections	\$ 5,417.00	\$ 11,166.00	\$ 9,033.00	\$ (2,133.00)	-19.10%	\$ 9,033.00	\$ (2,133.00)	-19.10%
36	Registration & Census	\$ 9,153.00	\$ 11,764.00	\$ 10,789.00	\$ (975.00)	-8.29%	\$ 10,789.00	\$ (975.00)	-8.29%
37	Planning Board	\$ 56,761.00	\$ 80,657.00	\$ 88,512.00	\$ 7,855.00	9.74%	\$ 88,512.00	\$ 7,855.00	9.74%
38	Zoning Board of Appeals	\$ 3,180.00	\$ 3,228.00	\$ 3,228.00	\$ -	0.00%	\$ 3,228.00	\$ -	0.00%
39	Conservation Commission	\$ 29,577.00	\$ 41,314.00	\$ 39,322.00	\$ (1,992.00)	-4.82%	\$ 44,822.00	\$ 3,508.00	8.49%
<b>Total General Government</b>		<b>\$ 1,073,658.00</b>	<b>\$ 1,095,998.00</b>	<b>\$ 1,162,602.00</b>	<b>\$ 66,604.00</b>	<b>6.08%</b>	<b>\$ 1,227,125.00</b>	<b>\$ 131,127.00</b>	<b>11.96%</b>
<i>Central Purchasing</i>									
40	Central Purchasing	\$ 36,180.00	\$ 56,950.00	\$ 64,200.00	\$ 7,250.00	12.73%	\$ 64,200.00	\$ 7,250.00	12.73%
<b>Total Central Purchasing</b>		<b>\$ 36,180.00</b>	<b>\$ 56,950.00</b>	<b>\$ 64,200.00</b>	<b>\$ 7,250.00</b>	<b>12.73%</b>	<b>\$ 64,200.00</b>	<b>\$ 7,250.00</b>	<b>12.73%</b>
<i>Protection</i>									
41	Police Department	\$ 1,014,251.00	\$ 1,114,948.00	\$ 1,179,501.00	\$ 64,553.00	5.79%	\$ 1,291,501.00	\$ 176,553.00	15.84%
42	Police Lock Up	\$ 34,273.00	\$ 26,000.00	\$ 28,500.00	\$ 2,500.00	9.62%	\$ 32,450.00	\$ 6,450.00	24.81%
43	Injury Leave	\$ 32,351.00	\$ 2,500.00	\$ 2,500.00	\$ -	0.00%	\$ 2,500.00	\$ -	0.00%
44	Police/Fire Medical Expenses	\$ 2,073.00	\$ 2,000.00	\$ 2,000.00	\$ -	0.00%	\$ 2,000.00	\$ -	0.00%
45	Vehicle Mtc - Police	\$ 40,199.00	\$ 34,500.00	\$ 30,000.00	\$ (4,500.00)	-13.04%	\$ 54,000.00	\$ 19,500.00	56.52%
<b>Subtotal Police</b>		<b>\$ 1,123,147.00</b>	<b>\$ 1,179,948.00</b>	<b>\$ 1,242,501.00</b>	<b>\$ 62,553.00</b>	<b>5.30%</b>	<b>\$ 1,382,451.00</b>	<b>\$ 202,503.00</b>	<b>17.16%</b>
46	Fire Department	\$ 400,842.00	\$ 386,593.00	\$ 462,918.00	\$ 76,325.00	19.74%	\$ 553,720.00	\$ 167,127.00	43.23%
46A	Capital - Fire Dept.			\$ 18,000.00	\$ 18,000.00		\$ 18,000.00	\$ 18,000.00	
47	Fire Hydrant Expense	\$ 13,703.00	\$ 13,950.00	\$ 13,950.00	\$ -	0.00%	\$ 13,950.00	\$ -	0.00%
48	Radio Equipment Mtc.	\$ 1,911.00	\$ 4,000.00	\$ 5,000.00	\$ 1,000.00	25.00%	\$ 10,000.00	\$ 6,000.00	150.00%
49	Radio Watch	\$ 168,883.00	\$ 174,326.00	\$ 180,635.00	\$ 6,309.00	3.62%	\$ 180,635.00	\$ 6,309.00	3.62%
50	Vehicle Mtc. - Fire	\$ 13,414.00	\$ 12,500.00	\$ 15,000.00	\$ 2,500.00	20.00%	\$ 20,000.00	\$ 7,500.00	60.00%
<b>Subtotal Fire Dept.</b>		<b>\$ 598,753.00</b>	<b>\$ 591,369.00</b>	<b>\$ 695,503.00</b>	<b>\$ 104,134.00</b>	<b>17.61%</b>	<b>\$ 796,305.00</b>	<b>\$ 204,936.00</b>	<b>34.65%</b>
51	Civil Defense	\$ 1,007.00	\$ 1,157.00	\$ 1,307.00	\$ 150.00	12.96%	\$ 1,307.00	\$ 150.00	12.96%

52	Wiring Inspector	\$ 16,855.00	\$ 21,000.00	\$ 21,000.00	\$ -	0.00%	\$ 21,000.00	\$ -	0.00%
53	Building Inspector	\$ 99,369.00	\$ 98,952.00	\$ 103,422.00	\$ 4,470.00	4.52%	\$ 108,422.00	\$ 9,470.00	9.57%
54	Municipal Hearing Officer	\$ 1,250.00	\$ 2,500.00	\$ 2,500.00	\$ -	0.00%	\$ 2,500.00	\$ -	0.00%
55	Plumbing/Gas Inspector	\$ 13,202.00	\$ 17,849.00	\$ 17,849.00	\$ -	0.00%	\$ 17,849.00	\$ -	0.00%
56	Animal Control	\$ 22,302.00	\$ 23,817.00	\$ 23,817.00	\$ -	0.00%	\$ 23,817.00	\$ -	0.00%
<b>Subtotal Other Protection</b>		<b>\$ 153,985.00</b>	<b>\$ 165,275.00</b>	<b>\$ 169,895.00</b>	<b>\$ 4,620.00</b>	<b>2.80%</b>	<b>\$ 174,895.00</b>	<b>\$ 9,620.00</b>	<b>5.82%</b>
<b>Total Protection</b>		<b>\$ 1,875,885.00</b>	<b>\$ 1,936,592.00</b>	<b>\$ 2,107,899.00</b>	<b>\$ 171,307.00</b>	<b>8.85%</b>	<b>\$ 2,353,651.00</b>	<b>\$ 417,059.00</b>	<b>21.54%</b>
<i>Health &amp; Sanitation</i>									
57	General Health Expense	\$ 20,767.00	\$ 21,360.00	\$ 24,459.00	\$ 3,099.00	14.51%	\$ 30,459.00	\$ 9,099.00	42.60%
58	Nashoba Board of Health	\$ 25,148.00	\$ 25,903.00	\$ 25,903.00	\$ -	0.00%	\$ 25,903.00	\$ -	0.00%
59	Nashoba Nursing	\$ 7,396.00	\$ 7,618.00	\$ 7,618.00	\$ -	0.00%	\$ 7,618.00	\$ -	0.00%
60	Mental Health	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ -	0.00%	\$ 5,000.00	\$ -	0.00%
61	Animal Inspector Salary	\$ 600.00	\$ 600.00	\$ 600.00	\$ -	0.00%	\$ 600.00	\$ -	0.00%
<b>Total Health &amp; Sanitation</b>		<b>\$ 58,911.00</b>	<b>\$ 60,481.00</b>	<b>\$ 63,580.00</b>	<b>\$ 3,099.00</b>	<b>5.12%</b>	<b>\$ 69,580.00</b>	<b>\$ 9,099.00</b>	<b>15.04%</b>
<i>Department of Public Works</i>									
62	Highway Labor	\$ 331,426.00	\$ 370,972.00	\$ 382,338.00	\$ 11,366.00	3.06%	\$ 382,338.00	\$ 11,366.00	3.06%
63	Highway OT	\$ 3,429.00	\$ 3,000.00	\$ 5,000.00	\$ 2,000.00	66.67%	\$ 5,000.00	\$ 2,000.00	66.67%
64	General Highway Maintenance	\$ 79,695.00	\$ 73,000.00	\$ 140,675.00	\$ 67,675.00	92.71%	\$ 275,000.00	\$ 202,000.00	276.71%
64A	Capital - General Highway		\$ 55,000.00					\$ (55,000.00)	-100.00%
65	Town Highway Garage	\$ 14,073.00	\$ 13,513.00	\$ 14,500.00	\$ 987.00	7.30%	\$ 14,500.00	\$ 987.00	7.30%
66	Traffic Signs & Devices	\$ 5,079.00	\$ 7,500.00	\$ 10,000.00	\$ 2,500.00	33.33%	\$ 15,000.00	\$ 7,500.00	100.00%
67	Vehicle Mtc. - Highway	\$ 44,340.00	\$ 51,300.00	\$ 52,000.00	\$ 700.00	1.36%	\$ 60,021.00	\$ 8,721.00	17.00%
68	Facilities and Grounds	\$ 114,950.00	\$ 119,244.00	\$ 186,523.00	\$ 67,279.00	56.42%	\$ 186,523.00	\$ 67,279.00	56.42%
68A	Capital - Facilities & Grounds			\$ 60,500.00	\$ 60,500.00		\$ 67,660.00	\$ 67,660.00	
69	Park Department	\$ 60,366.00	\$ 63,050.00	\$ 65,414.00	\$ 2,364.00	3.75%	\$ 65,414.00	\$ 2,364.00	3.75%
69A	Capital - Park Dept.			\$ -	\$ -			\$ -	
70	Cemetery Department	\$ 41,336.00	\$ 41,330.00	\$ 42,381.00	\$ 1,051.00	2.54%	\$ 42,381.00	\$ 1,051.00	2.54%
71	Tree Removal	\$ 10,468.00	\$ 7,000.00	\$ 12,500.00	\$ 5,500.00	78.57%	\$ 12,500.00	\$ 5,500.00	78.57%
72	Solid Waste	\$ 256,000.00	\$ 236,000.00	\$ -	\$ (236,000.00)	-100.00%	\$ -	\$ (236,000.00)	-100.00%
73	Snow Removal Expense	\$ 233,838.00	\$ 135,000.00	\$ 135,000.00	\$ -	0.00%	\$ 135,000.00	\$ -	0.00%
<b>Total DPW</b>		<b>\$ 1,195,000.00</b>	<b>\$ 1,175,909.00</b>	<b>\$ 1,106,831.00</b>	<b>\$ (69,078.00)</b>	<b>-5.87%</b>	<b>\$ 1,261,337.00</b>	<b>\$ 85,428.00</b>	<b>7.26%</b>
<i>Public Assistance</i>									
74	Council on Aging	\$ 76,529.00	\$ 81,187.00	\$ 84,849.00	\$ 3,662.00	4.51%	\$ 84,849.00	\$ 3,662.00	4.51%
<b>Subtotal C.O.A.</b>		<b>\$ 76,529.00</b>	<b>\$ 81,187.00</b>	<b>\$ 84,849.00</b>	<b>\$ 3,662.00</b>	<b>4.51%</b>	<b>\$ 84,849.00</b>	<b>\$ 3,662.00</b>	<b>4.51%</b>



75	<u>Veterans' Benefits</u>	\$ -	\$ 500.00	\$ 500.00	\$ -	0.00%	\$ 500.00	\$ -	0.00%
76	<u>Veteran's Administration</u>	\$ 3,600.00	\$ 3,833.00	\$ 3,833.00	\$ -	0.00%	\$ 3,833.00	\$ -	0.00%
77	<u>Registrar of Vets' Graves</u>	\$ 233.00	\$ 360.00	\$ 360.00	\$ -	0.00%	\$ 360.00	\$ -	0.00%
78	<u>Memorial Day</u>	\$ 279.00	\$ 750.00	\$ 750.00	\$ -	0.00%	\$ 750.00	\$ -	0.00%
	<b><u>Subtotal Veterans</u></b>	\$ 4,112.00	\$ 5,443.00	\$ 5,443.00	\$ -	0.00%	\$ 5,443.00	\$ -	0.00%
	<b><u>Total Assistance</u></b>	\$ 80,641.00	\$ 86,630.00	\$ 90,292.00	\$ 3,662.00	4.23%	\$ 90,292.00	\$ 3,662.00	4.23%
<u>Schools</u>									
79	<u>School Department</u>	\$ 11,292,260.00	\$ 13,635,716.00	\$ 14,150,892.00	\$ 515,176.00	3.78%	\$ 15,169,002.00	\$ 1,533,286.00	11.24%
80	<u>School Transportation</u>	\$ -	\$ -	\$ -	\$ -	-	\$ -	\$ -	-
81	<u>Monty Tech Assessment</u>	\$ 516,748.00	\$ 584,719.00	\$ 639,310.00	\$ 54,591.00	9.34%	\$ 639,310.00	\$ 54,591.00	9.34%
82	<u>Health Insurance-School</u>	\$ 1,631,005.00	\$ -	\$ -	\$ -	-	\$ -	\$ -	-
83	<u>Unemployment Comp-School</u>	\$ -	\$ -	\$ -	\$ -	-	\$ -	\$ -	-
84	<u>Vehicle Mtc - School</u>	\$ 8,154.00	\$ 3,600.00	\$ 3,600.00	\$ -	0.00%	\$ 3,600.00	\$ -	0.00%
	<b><u>Total Schools</u></b>	\$ 13,448,167.00	\$ 14,224,035.00	\$ 14,793,802.00	\$ 569,767.00	4.01%	\$ 15,811,912.00	\$ 1,587,877.00	11.16%
<u>Library</u>									
85	<u>Lunenburg Public Library</u>	\$ 240,609.00	\$ 263,108.00	\$ 283,763.00	\$ 20,655.00	7.85%	\$ 316,207.00	\$ 53,099.00	20.18%
	<b><u>Total Library</u></b>	\$ 240,609.00	\$ 263,108.00	\$ 283,763.00	\$ 20,655.00	7.85%	\$ 316,207.00	\$ 53,099.00	20.18%
<u>Recreation</u>									
86	<u>Band Concerts</u>	\$ 3,000.00	\$ -	\$ -	\$ -	-	\$ -	\$ -	-
	<b><u>Total Recreation</u></b>	\$ 3,000.00	\$ -	\$ -	\$ -	-	\$ -	\$ -	-
	<b><u>Total Omnibus</u></b>	\$ 22,322,450.00	\$ 23,474,981.00	\$ 24,597,830.00	\$ 1,122,849.00	4.78%	\$ 26,169,165.00	\$ 2,694,184.00	11.48%



# TOWN OF LUNENBURG

## 2007 ANNUAL TOWN ELECTION WARRANT

April 17, 2007

Worcester, ss:

To John E. Baker, Constable of the Town of Lunenburg, in the County of Worcester, Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of the Town of Lunenburg, qualified to vote in elections and town affairs, to meet in the Thomas C. Passios Elementary School in said Lunenburg on Saturday, the 19<sup>th</sup> day of May next, at 7:00 o'clock in the forenoon, and then and there to act on the following:

\*\*\*\*\*

**POLLS OPEN AT 7:00 A.M. POLLS SHALL BE CLOSED AT 5:00 P.M.**

\*\*\*\*\*

Shall the Town vote to choose by ballot the following officers?

Selectman \_\_\_\_\_ for 3 years  
Selectman \_\_\_\_\_ for 3 years  
Board of Health Member \_\_\_\_\_ for 3 years  
Board of Health Member \_\_\_\_\_ for 1 year  
Assessor \_\_\_\_\_ for 3 years  
Town Clerk \_\_\_\_\_ for 3 years  
Constable \_\_\_\_\_ for 3 years  
School Committee Member \_\_\_\_\_ for 3 years  
School Committee Member \_\_\_\_\_ for 3 years  
Park Commissioner \_\_\_\_\_ for 3 years  
Commissioner of Trust Funds \_\_\_\_\_ for 3 years  
Cemetery Commissioner \_\_\_\_\_ for 3 years  
Library Trustee \_\_\_\_\_ for 3 years  
Library Trustee \_\_\_\_\_ for 3 years  
Planning Board Member \_\_\_\_\_ for 5 years  
Planning Board Member \_\_\_\_\_ for 2 years  
Housing Authority Member \_\_\_\_\_ for 3 years  
Housing Authority Member \_\_\_\_\_ for 2 years

1. Shall the Town of Lunenburg accept sections 3 to 7 inclusive, of MGL Chapter 44B, as approved by the legislative body at the Special Town Meeting of December 5, 2006, a summary of which appears below?

Sections 3 to 7 of Chapter 44B of the General Laws of Massachusetts, also known as the Community Preservation Act, establish a dedicated funding source to (1) acquire, create and preserve open space which includes land for park and recreational uses and the protection of public drinking water well fields, aquifers and recharge areas, wetlands, farm land, forests, marshes, beaches, scenic areas, wildlife preserves and other conservation areas; (2) acquire, preserve rehabilitate and restore historic buildings and sites; and (3) create, preserve and support affordable housing.

In the Town of Lunenburg, the funding for these community preservation purposes will be a surcharge of 3% on the annual property tax assessed on real property and annual distributions made by the state from a trust fund created by the Act. If approved, the following will be exempt from the surcharge; (1) \$100,000.00 of the value of each taxable parcel of residential real property. A taxpayer receiving an exemption of real property authorized by Chapter 59 of the General Laws of Massachusetts or any other law is exempt from any surcharge on real property established under the Act. A taxpayer receiving a regular property tax abatement will also receive a pro rata reduction in surcharge.

**A Community Preservation Committee will be established by by-law to study community preservation resources, possibilities and needs and to make annual recommendations to Town Meeting on spending the funds. At least ten (10%) percent of the funds for each fiscal year will be spent or reserved for later spending on each of the Act's three community preservation purposes; (1) open space (excluding land for recreational use); (2) historic resources; and (3) affordable housing.**

**In addition, the CPA creates a State Trust Fund from which the Town will receive annual distributions of up to one hundred percent (100%) of the amounts raised locally by the CPA surcharge. These state funds are only available to communities that have accepted the CPA. The funding source for the State Trust Fund is from surcharges on certain filing fees of Registers of Deeds.**

**2. OVERRIDE - Shall the Town of Lunenburg be allowed to assess an additional \$2,700,000.00 in real estate and personal property taxes for the purposes of funding the Chief Administrative and Financial Officers' proposed FY08 budget?**

**And you are directed to serve this Warrant by posting attested copies thereof in four or more public places in the Town, fourteen (14) days at least before the day appointed for said meeting, one of which places shall be at the Town Hall, one at Whalom Variety Store in the Whalom-Bakerville District, one at Powell's, and one at Centre Pizza and Variety, and by mailing a copy to each dwelling unit in the Town in which a registered voter resides at least seven (7) days prior to such election.**

**Hereof, fail not and make due return of this Warrant, with your doings thereon, to the Town Clerk at the time and place aforesaid.**

**Given under our hands, this seventeenth day of April in the year two thousand and seven.**

**A true copy attest:  
Kathryn M. Herrick, Town Clerk**

**Robert H. Bowen, Chairman  
Thomas A. Alonzo, Vice-Chairman  
Steven M. deBettencourt, Clerk  
Daniel W. Cronin, Member  
Paula Bertram, Member**

# CONSENT CALENDAR

In an effort to streamline Town Meeting, the Board of Selectmen will once again try the concept of a Consent Calendar. The use of this Calendar speeds the passage of articles which the Selectmen feel, in consultation with Town Counsel and the Finance Committee should generate no controversy and can be properly voted without debate. The purpose of the Consent Calendar is to allow motions under these articles to be acted upon as one unit and to be passed without debate.

## **THE CONSENT CALENDAR WILL BE TAKEN UP AS THE FIRST ORDER OF BUSINESS AT THE COMMENCEMENT OF THE ANNUAL TOWN MEETING ON SATURDAY, MAY 5, 2007.**

At the call of the Consent Calendar, the Moderator will call out the numbers of the Articles, one by one. If two or more voters object to any particular Article being included in the Consent Calendar, they should say the word **"HOLD"** in a loud voice when the number is called. The Article is then removed automatically from the Consent Calendar and restored to its original place in the Warrant, to be debated and voted in the usual manner. After the calling of the individual items in the Consent Calendar, the Moderator will ask that the voters pass all items remaining AS A UNIT.

Please review the list of articles and motions proposed for each Consent Item which follows.

"I move that **ARTICLES 2, 24, 25, 26, 27 and 28** be passed by consent"

### **CONSENT ARTICLES TO BE PASSED OVER IF THEY ARE "PASSED BY CONSENT"**

\*\*\* **ARTICLE 2.** To see if the Town will vote to authorize the Treasurer and Collector pursuant to MGL Chapter 44, §53F, with the approval of the Selectmen, to enter into compensating balance agreements with banking institutions in the Commonwealth of Massachusetts; or take any other action relative thereto. *Board of Selectmen recommends approval.*

\*\*\* **ARTICLE 24.** To see if the Town will vote to re-authorize the establishment of an Ambulance Billing revolving fund in accordance with MGL Chapter 44, §53E½. The purpose of this fund will be to cover the cost associated with compensating third party advanced life support companies and third party billing companies that contract and supply services to the town. Five per cent (5%) of the total revenue generated by ambulance services rendered and 100% of the revenue generated by Advanced Life Support services rendered shall be deposited into said revolving fund. The proceeds of said Revolving Fund shall be expended by the Fire Department without further appropriation for the sole purpose of reimbursing the aforementioned companies for services rendered to the town; expenditures from the revolving fund may not exceed \$50,000 during the fiscal year without the approval of the Board of Selectmen and Finance Committee or take any other action relative thereto. Submitted by the Board of Selectmen. *Board of Selectmen recommends approval.*

\*\*\* **ARTICLE 25.** To see if the Town will vote to re-authorize a MGL Chapter 44, §53E½ Timber Rights revolving fund, such fund to be credited with the proceeds of sale by the Conservation Commission of the rights to harvest timber; funds in the account to be expended for the acquisition of land for conservation purposes and associated costs of such acquisitions, including but not limited to appraisals and payment of accrued taxes; such funds may also be expended for improvements on land already under the custody and control of the Conservation Commission; the Conservation Commission may expend such funds without further appropriation; expenditures from the revolving fund may not exceed \$5,000 during the fiscal year without the approval of the Board of Selectmen and Finance Committee; or take any other action relative thereto. Submitted by the Board of Selectmen. *Board of Selectmen recommends approval.*

\*\*\* **ARTICLE 26.** To see if the Town will vote to re-authorize in accordance with MGL Chapter 44, §53E½, the Custodial Special Detail Revolving Fund, for the purpose of paying special detail salaries for outside functions. Charges and money received from outside organizations in connection with this program are to be deposited in said revolving fund and expended by the Lunenburg School Committee without further appropriation for the sole purpose of paying personnel for hours worked. Said revolving account expenditures shall not exceed \$25,000 per year without the approval of the Board of Selectmen and Finance Committee; or take any other action relative thereto. Submitted by the Board of Selectmen. *Board of Selectmen recommends approval.*

\*\*\* **ARTICLE 27.** To see if the Town will vote to re-authorize in accordance with MGL Chapter 44, §53E½, the Greenthumb Revolving Fund, to support the Greenthumb Program at Lunenburg High School. Fees, charges, and money received from sales of items in connection with this program are to be deposited in this Revolving Fund Account and expended for the operation of this program by the Lunenburg School Committee without further appropriation; said revolving account expenditures shall not exceed \$10,000 per year without the approval of the Board of Selectmen and Finance Committee; or take any other action relative thereto. Submitted by the Board of Selectmen. *Board of Selectmen recommends approval.*

\*\*\* **ARTICLE 28.** To see if the Town will vote to re-authorize in accordance with MGL Chapter 44, §53E½, the Council on Aging/Montachusett Area Regional Transit (MART) Elderly Transportation Revolving Fund; the operation of said account shall be conducted by the Council on Aging, and the Senior Center Director; funds in this account shall be spent on the dispatch, operation, maintenance and record keeping of the MART vehicles for the elderly transportation program; all receipts resulting from MART reimbursements shall be credited to this account; said revolving account expenditures shall not exceed \$26,000 per year without the prior approval of the Board of Selectmen and the Finance Committee; or take any other action relative thereto. Submitted by the Board of Selectmen. *Board of Selectmen recommends approval.*

# INDEX OF ARTICLES

## **SPECIAL TOWN MEETING - MAY 5, 2007**

- ARTICLE 1. FY'07 Budget
- ARTICLE 2. FY'06 Clerical Unit Collective Bargaining Agreement
- ARTICLE 3. FY'06 Police Officers Collective Bargaining Agreement, IBPO Local 353, AFL-CIO

## **ANNUAL TOWN MEETING - MAY 5, 2007**

- ARTICLE 1. Accept / Hear Reports of Certain Committees
- ARTICLE 2. Compensating Balances
- ARTICLE 3. FY'08 Override
- ARTICLE 4. Eminent Domain – Meadow Woods Mobile Home Park
- ARTICLE 5. Meadow Woods – Drinking Water, Waste Water Improvements
- ARTICLE 6. Special Legislation – Meadows Woods Sewer Betterment Assessments
- ARTICLE 7. FY'08 Capital Plan
- ARTICLE 8. FY'08 Capital Program
- ARTICLE 9. FT'08 Laborer's International Union of Public Employees, Local 39 (Middle Mgrs. Unit)
- ARTICLE 10. Merit Increase
- ARTICLE 11. Update Master Plan
- ARTICLE 12. Regional School District Planning Committee
- ARTICLE 13. Sanitary Landfill
- ARTICLE 14. The Budget – FY'08
- ARTICLE 15. Budget Water Department Enterprise Fund
- ARTICLE 16. Budget Sewer Department Enterprise Fund
- ARTICLE 17. Budget Solid Waste / Recycling Collection Disposal Program Enterprise Fund
- ARTICLE 18. Mosquito Control Project
- ARTICLE 19. Multi – Year Agreement, Comcast Cable Television License Agreement
- ARTICLE 20. Stabilization Fund
- ARTICLE 21. Amend Town Bylaw, Article III, Section 5, Capital Planning Committee
- ARTICLE 22. Amend Town Bylaw, Article IX, Section 21, Sewer Assessment Bylaw
- ARTICLE 23. Amend Town Byaw, Article XVIII, Section 1, Council on Aging
- ARTICLE 24. Reauthorize Revolving Fund – Ambulance Billing
- ARTICLE 25. Reauthorize Revolving Fund – Timber Rights, Conservation Commission
- ARTICLE 26. Reauthorize Revolving Fund – Custodial Special Details
- ARTICLE 27. Reauthorize Revolving Fund - Greenthumb
- ARTICLE 28. Reauthorize Revolving Fund – Elderly Transportation (MART)
- ARTICLE 29. Reauthorize Revolving Fund – Library
- ARTICLE 30. Amend Zoning Bylaw Section 6.4. – Driveway Access Road Width
- ARTICLE 31. Amend Zoning Map – Residence A to Commercial (Electric Avenue / Whalom Road)
- ARTICLE 32. Lakefront Avenue

# TOWN OF LUNENBURG

## ANNUAL TOWN MEETING WARRANT

### MAY 5, 2007

Worcester, ss:

To: John E. Baker, Constable of the Town of Lunenburg, in the County of Worcester, Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants to the Town of Lunenburg, qualified to vote in elections and town affairs, to meet in the Lunenburg High School Auditorium in said Lunenburg on Saturday, the 5<sup>th</sup> day of May next, at 9:00 o'clock in the morning (9:00 A.M.), and to adjourn said meeting at 9:15 A.M. for the purpose of taking action on the Special Town Meeting Warrant, and to immediately thereafter reconvene the Annual Town Meeting, and then and there to act on the following articles, viz:

### SPECIAL TOWN MEETING WARRANT

ARTICLE 1. To see if the Town will vote to appropriate from available funds all sums of money necessary to amend the amounts voted for the Town's FY'07 Budget, under Article 14 of the May 6, 2006 Annual Town Meeting Warrant; or take any other action relative thereto. *Board of Selectmen & Finance Committee recommendations @ Town Meeting.*

ARTICLE 2. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to fund the FY06 Clerical Unit Collective Bargaining Agreement dated July 1, 2005 – June 30, 2008 with AFSCME, Council 93; or take any other action relative thereto. Submitted by the CAFO. *Board of Selectmen & Finance Committee recommendations @ Town Meeting.*

ARTICLE 3. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to fund the FY06 Police Officers Collective Bargaining Agreement dated March 26, 2007 with IBPO Local 353, AFL-CIO; or take any other action relative thereto. Submitted by the CAFO. *Board of Selectmen & Finance Committee recommendations @ Town Meeting.*

### ANNUAL TOWN MEETING WARRANT

ARTICLE 1. To see if the Town will vote to hear and/or accept the regular written reports of the Town Officers and Committees; or take any other action relative thereto.

ARTICLE 2. To see if the Town will vote to authorize the Treasurer and Collector pursuant to MGL Chapter 44, §53F, with the approval of the Selectmen, to enter into compensating balance agreements with banking institutions in the Commonwealth of Massachusetts; or take any other action relative thereto. *Board of Selectmen recommends approval.*

ARTICLE 3. To see if the Town will vote to raise and appropriate the sum of \$2,700,000.00 for the purpose of additional funding for the Fiscal Year 2008 budget, such sum to be contingent upon the approval by the voters of an override of Proposition 2½, so-called; or take any other action relative thereto. Submitted by the CAFO. *Board of Selectmen recommendation @ Town Meeting, Finance Committee recommends \$1,903,233.00.*

ARTICLE 4. To see if the Town will vote to authorize the Board of Selectmen to purchase, or acquire by Eminent Domain (Meadow Woods Mobile Home Park) pursuant to the provisions of Chapter 79, a certain parcel of land containing approximately 22.82 ± acres and shown on Assessors Map 065 as Lot 330 for Municipal Purposes and; to appropriate a sum of money to purchase said land and; to fund said appropriation to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow said sum of money and to issue bonds and notes therefore in accordance with the provisions of G.L. Ch. 44 Section 7 or any other lawful authority; or take any other action relative thereto. Submitted by the Board of Selectmen. *Board of Selectmen & Finance Committee recommendations @ Town Meeting.*

ARTICLE 5. To see if the Town will vote to amend Article 16 of the May 6, 2006 Annual Town Meeting by inserting the word \*\*\*"partial" between "with" and "reimbursement"

**ARTICLE 16 WAS:** *To see if the Town will vote to appropriate \$4,154,298.00 for the purpose of financing the engineering, permitting, and construction of drinking water and wastewater improvements at Meadow Woods Mobile Home Park; that to fund this appropriation the Treasurer, with the approval of the Board of Selectmen, be authorized to borrow all or a portion the project costs and issue bonds or notes therefore under Chapter 44, Sections 7 and 8 of the Massachusetts General Laws and/or any other authority; all or a portion of such amount may be borrowed from the United States Department of Agriculture – Rural Development; that such bonds or notes be general obligations of the Town; that in connection therewith the Treasurer, with the approval of the Board of Selectmen is authorized to enter into an agreement with USDA-Rural Development for a grant and/or loan and otherwise to contract with USDA with respect to such grant and/or loan; that the Board of Selectmen be authorized to enter into an intermunicipal agreement pursuant to Chapter 40, Section 4A of the Massachusetts General Law with the Lunenburg Water District to undertake the drinking water improvements; that the Board of Selectmen be empowered to apply for, accept, and expend any federal, state or other aid, whether public or private, that may be available for the*

project or for the financing thereof; funding to be provided by borrowing with \*\*\* "partial" reimbursement through assessment of betterments to be assessed against property owners to be served by said wastewater improvements by the Sewer Commission in accordance with the provisions of the General Laws Chapter 80 and with \*\*\* "partial" reimbursement with respect to the drinking water improvements by payments made by the Lunenburg Water District pursuant to the intermunicipal agreement; and that the Board of Selectmen be authorized to contract for said work and services and be authorized to apply for, accept, and expend all funds available for the project; or to take any other action relative thereto. **Board of Selectmen & Finance Committee recommendations @ Town Meeting.**

ARTICLE 6. To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation to allow for a special act to read substantially as follows: To authorize the town to assess sewer betterment assessments for a forty (40) year term for the property known as *Meadow Woods Mobile Home Park*, and shown on Assessors Map 065 as Lot 330. This Act shall take effect upon passage; or take any other action thereto. Submitted by the Board of Selectmen. **Board of Selectmen recommends approval.**

ARTICLE 7. To see if the Town will vote to raise and appropriate or transfer from available funds, or borrow the sum of \$649,257.00 for the FY08 Capital Plan (as appearing in the Capital Planning Financial Report) or take any other action relative thereto. Submitted by the Capital Planning Committee. **Board of Selectmen recommendation @ Town Meeting. Finance Committee recommends approval @ \$317,359.00 and an additional \$331,898.00 contingent upon passage of override.**

ARTICLE 8. To see if the Town will vote to raise and appropriate or transfer from available funds, or borrow the sum of \$760,000.00 for the FY08 Capital Program expenditures (to purchase for the Department of Public Works a 6-wheel dump truck w/plow & sander and a multipurpose snow/sweep/trimmer and for the Fire Department a rescue/pumper) or take any other action relative thereto. Submitted by the Capital Planning Committee. **Board of Selectmen recommends disapproval. Finance Committee recommends approval by borrowing.**

ARTICLE 9. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to fund the FY08 Laborer's International Union of North America, Public Employees, Local 39 (Middle Managers' Unit) Collective Bargaining Agreement dated July 1, 2007 – June 30, 2009, or take any other action relative thereto. Submitted by the CAFO. **Board of Selectmen & Finance Committee recommendations @ Town Meeting.**

ARTICLE 10. To see if the Town will vote to raise or transfer from available funds a sum of \$13,700.00 to fund a 3% merit increase in FY008 for Town Employees in the Salary Administration Plan; or take any other action relative thereto. Submitted by Petition. **Board of Selectmen & Finance Committee recommends approval.**

ARTICLE 11. To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$4,000.00 for Master Planning consulting fees for reviewing and updating said plan or take any other action relative thereto. Submitted by the Planning Board. **Board of Selectmen & Finance Committee recommends approval.**

ARTICLE 12. To see if the Town will vote to create a special unpaid committee to be known as a Regional School District Planning Committee to consist of three members, including one member of the School Committee, to be appointed by the Moderator, in accordance with the provisions of Section 14 of Chapter 71 of the General Laws, as amended: and that there be appropriated or transferred from available funds for the use of said Committee the sum of eight thousand dollars (\$8000) for its expenses, or take any other action relative thereto. Submitted by School Committee. **Board of Selectmen & Finance Committee recommends approval.**

ARTICLE 13. To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow the sum of \$150,000.00 for the purpose of financing the engineering, survey, permitting, construction, and environmental assessment and monitoring in connection with cover system repairs and post-closure activities at the Young's Road Landfill as required under the conditions of the Department of Environmental Protection Administrative Consent Order No. ACOP-CE-05-4006; that the Treasurer, with the approval of the Board of Selectmen, be authorized to borrow all or a portion the project costs and issue bonds or notes therefore under Chapter 44, Sections 7 and 8 of the Massachusetts General Laws and/or any other authority; that such bonds or notes be general obligations of the Town; and in connection therewith, that the Board of Selectmen be empowered to contract for said work and services and be authorized to apply for, accept, and expend all funds available for the project; or to take any other action relative thereto. Submitted by the CAFO. **Board of Selectmen recommendation @ Town Meeting. Finance Committee recommends approval @ \$75,000.00.**

ARTICLE 14. To see if the Town will vote to raise and appropriate or transfer from available funds all sums of money necessary to defray the charges and expenses of the Town for Fiscal Year 2008 and to fix the salaries and compensation of all elected officials of the Town and any other items included in the budget of the Finance Committee, or take any other action relative thereto. **Board of Selectmen recommendation @ Town Meeting. Finance Committee recommends \$24,597,830.00 Omnibus Budget without override, \$26,169,165.00 with override.**

ARTICLE 15. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to operate the Water Department Enterprise Fund; or take any other action relative thereto. Submitted by the Board of Selectmen. **Board of Selectmen & Finance Committee recommendations @ Town Meeting.**

ARTICLE 16. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to operate the Sewer Department Enterprise Fund; or take any other action relative thereto. Submitted by the Sewer Commission. **Board of Selectmen & Finance Committee recommendations @ Town Meeting.**

ARTICLE 17. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to operate the Solid Waste / Recycling Disposal Program Enterprise Fund; or take any other action relative thereto. Submitted by the Board of Selectmen. **Board of Selectmen & Finance Committee recommendations @ Town Meeting.**



ARTICLE 18. To see if the Town will vote to continue participation in the Central Massachusetts Mosquito Control Project; or take any other action relative thereto. Submitted by the Board of Selectmen. **Board of Selectmen recommends approval.**

ARTICLE 19. To see if the Town will vote to authorize the Town to enter into a multi-year contract for a Cable (Comcast) Television License Agreement; or take any other action relative thereto. Submitted by the CAFO. **Board of Selectmen recommends approval.**

ARTICLE 20. To see if the Town will vote to appropriate from available funds a sum of money to the Stabilization Fund; or take any other action relative thereto. Submitted by the Board of Selectmen. **Board of Selectmen & Finance Committee recommendations @ Town Meeting.**

ARTICLE 21. To see if the Town will vote to amend Town By-law Article III, Section 5 by striking the present article in its entirety, and inserting the following: There shall be a Capital Planning Committee. That Committee shall consist of five members to be appointed as follows. One member each designated by the Finance Committee, the Selectmen, the School Committee and the Planning Board, and a fifth member chosen at large by the Town moderator. Each member shall be appointed for a term of three years, said terms staggered so that as nearly an equal number of members shall be appointed each year. The Capital Planning Committee shall establish and update a comprehensive capital plan. The committee shall at least annually provide its materials to the Chief Administrative and Financial officer so that the Chief Administrative and Financial Officer will meet the obligations of the Office set forth in Section 6-6[sic] of the Lunenburg Town Charter. The Capital Planning Committee shall also be responsible for providing a complete inventory of town property, real and personal, including school property, in conjunction with the Chief Administrative and Financial Officer; or take any other action relative thereto. Submitted by Board of Selectmen. **Board of Selectmen recommends approval.**

ARTICLE 22. To see if the Town will vote to amend Town By-law Article IX, Section 21 of the entitled "Sewer Betterment Assessments" (copy on file in the Selectmen's and Town Clerk's office) by deleting "The Board of Selectmen, acting as Sewer Commissioner," and substituting therefore "The Sewer Commissioners" and by further adding **"Sewer Assessment Bylaw"**

### **Section 1. Assessments.**

#### **(a) General**

Every person owning land abutting upon any way in which a main or common sewer has been laid out, and who enters or has entered his particular drain into such main drain or common sewer, or who by more remote means receives benefit thereby for draining his land or buildings, shall be assessed under the provisions of M.G.L. c. 83 section 14. The Sewer Commission shall have the power as set forth in M.G.L. c. 83 section 15, when ascertaining assessments as a betterment for construction, to apply a rate based upon a uniform unit method. A uniform unit method shall be based upon sewerage construction costs divided among the total number of existing and potential sewer units to be served after having proportioned the cost of special and general benefit facilities.

(b) Assessments under this section shall be ascertained, assessed, certified and committed to the Town Treasurer by the Sewer Commission. Such assessments may be made for all sewers, lateral sewers, pump stations and appurtenant works. Sewer betterment assessments and any sewer betterment policies which are adopted by the Town under M.G.L. c. 80 and M.G.L. c. 83 for particular public sewer construction projects shall follow the procedures set out hereinbelow.

#### **(b) Method of assessment: uniform unit.**

(1) The Town of Lunenburg shall assess sewer betterments based upon a uniform unit method. Each unit shall be equal to a single-family residence. Multiple family buildings and non-residential buildings as described herein shall be converted into units on the basis of residential equivalents. The total assessment for a particular sewerage construction project shall not be based on or limited by an estimated betterment. Revenue generated by said betterment assessment shall be equal to or shall cover the total project costs associated with design and construction of the sewers and pumping station, and appurtenant work.

(2) The Town shall levy assessments against all properties abutting a sewer street after acceptance of the entire pertinent construction contract(s) including finalization of all pertinent contractual documents. The date of acceptance shall be determined by the Sewer Commission. In the order of assessment, the Town shall designate the owner of each parcel on the preceding January 1<sup>st</sup> as liable for assessment under the provisions of the General Laws.

(3) For assessment purposes, all properties receiving direct benefit from the sewerage system shall be converted into sewer units. Properties receiving direct benefit, either developed or undeveloped, shall be designated a number of sewer units under the following guidelines:

1. Single-family dwellings shall comprise one (1) sewer unit.

2. Multiple unit residential properties shall comprise a number of sewer units based on the following methodology:

a. residential properties such as apartments or multi-family homes shall be assessed one (1) sewer unit for each apartment with more than three (3) rooms. Residential units comprised of three (3) rooms or less shall be assessed one-half ( $\frac{1}{2}$ ) of one (1) sewer unit for each such unit.

b. Residential condominium complexes shall be assessed one (1) sewer unit for each dwelling unit.

(4) Subdivisions shall be assessed one (1) sewer unit for each buildable lot except that a subdivision which pursuant to subdivision regulations of the Town of Lunenburg agreed to install and by the appropriate assessment date for betterments has actually installed a dry system in said subdivision shall not be assessed a sewer betterment fee per lot but shall be assessed a sewer privilege fee as set by Section 2 hereinbelow. Certain lots not involving actual subdivision shall also be assessed as provided in Section 3(c) hereinbelow.

(5) a. Non-residential buildings, which shall include all industrial, commercial and municipal properties, shall comprise a number of sewer units based upon water consumption as follows: Sewer units = Non-residential water usage (gpd) / 300 (gpd). (Rounded up to the next whole number.) Non-residential buildings not metered for water use shall be assigned a water consumption volume based on Title 5 (Part

2, Section 13) of the State Environment Code of the Commonwealth of Massachusetts, Minimum Requirements for the Subsurface Disposal of Sanitary Sewage.

(5) **b.** When a single structure or building contains a non-residential use and a residential use and neither use is accessory to the other and the non-residential use does not receive municipal water service, such mixed use structure shall be charged a betterment only for the residential unit or use. This provision shall not apply in the following zoning districts as defined in the Town zoning by-law:

**Retail Commercial; Commercial; Office Park and Industrial.**

(6) Undeveloped residential lots shall be converted into dwelling units on the basis of maximum number frontage and area requirements as directed in the zoning by-law in effect at the time of assessment. Each potential dwelling unit shall then comprise one (1) sewer unit; The owner of an undeveloped lot may apply pursuant to M.G.L. c. 83 section 19 to extend the time for payment as provided in Section 3 hereinbelow. In addition, land classified as agricultural, horticultural, recreations, or forest land, upon the application of the owner, may have the betterment assessment suspended for so long as the land is devoted to that use pursuant to M.G.L. c. 61A section 18, M.G.L., c. 61B section 13, and M.G.L. c. 61 section 5.

(7) Undeveloped non-residential lots shall be converted into a maximum anticipated water consumption on the basis of the zoning by-law. An equivalent number of sewer units shall then be determined utilizing the formula described for non-residential, developed properties (Rounded up to the next whole number).

(8) Nothing in this section shall supersede the language of Section 2 hereinbelow concerning a compensatory fee for increase in the use of the land.

**(c) Betterment payment.**

Except as provided herein, the provisions of the General Laws relative to the assessment, apportionment, division reassessment, abatement and collection of sewer assessments shall apply. The Tax Collector of the Town of Lunenburg shall have all of the powers conveyed by the General Laws. In accordance with M.G.L. c. 80 section 12, assessments made shall constitute a lien upon the land assessed until the full balance is paid. At the time of assessment, a property owner may select a payment schedule over a period of ten (10) years or twenty (20) years if they so specifically request. Once a selection has been made, the payment method may not be changed at a later date; however, the balance of the principal due on any lien may be paid in full at any time.

Upon the transfer of title to a new owner, the seller/transferor shall immediately notify the Town Treasurer/Collector and Town Assessors. After transfer of title, the betterment lien may be transferred. The betterments may be paid in full to the collector's office without interest or charges within thirty (30) days of the date of assessment. With regard to apportionment, the interest rate charged by the Town shall be the project bond rate paid by the Town for the sewer project plus a flat fee of two hundred dollars (\$200.00), as allowed by Acts and Resolves of 1993, Commonwealth of Massachusetts, Chapter 433.

**(d) Abatements and deferrals.**

(1) *Unbuildable lot.* A property owner may request of the Building Inspector a formal written opinion which declares that under the then current Town zoning by-law, the lot(s) which have been assessed a sewer betterment is not buildable without issuance of one (1) or more variances under the applicable zoning by-law provisions. This letter must be filed permanently with the Building Inspector and with the Zoning Board of Appeals. Upon issuance of the opinion, the property owner may then file an application for abatement with the assessing board which shall include a certified copy of the building inspector's opinion and which shall require a notarized statement that the owner and any subsequent purchaser or their assigns or agents shall not apply for a variance to make the lot buildable.

A property owner may file a notice of intent to construct a dwelling with the Town Conservation Commission for one (1) or more lots that have been assessed a sewer betterment. Following the regular hearing procedures of the Conservation Commission for any such notice, if the commission issues a formal denial of the notice of intent to construct a dwelling, and if all such documents which are otherwise required by law to be filed with the Registry of Deeds have been so filed, then the property owner may file with the assessing board an appeal action for abatement so long as the owner did not appeal the denial. The appeal action shall include a certified copy of the denial of the notice of intent to construct a dwelling.

All such abatements that are issued by the assessing board under this Section 1(d)

(1) shall also be permanently filed with the offices of the Building Inspector and the conservation commission. All applications and orders or opinions issued under this section shall state that the property owner has voluntarily requested that the property be found unbuildable and that the property owner fully understands all consequences stemming from such determination.

(2) *Age and income.* A property owner may defer the betterment assessment as provided in M.G.L. c. 80 section 13B, which has been accepted by the Town of Lunenburg, if they are sixty-five (65) years of age or older and qualify under M.G.L. c. 59 section 5, Clause 41A. However, the transfer of lien provision, Section 3(c), betterment payments, shall not apply to deferrals as provided for in this section, in compliance with M.G.L. c. 80 section 13B.

**Section 2. Compensatory Sewer Privileges Fee; increase in use of land.**

Notwithstanding the other provisions of this Sewer Assessment By-Law, if a betterment has: (i) been assessed to a property based upon the estimated number of developable sewer units as required by this article or a sewer betterment policy adopted by the Sewer Commission and said property is ultimately developed to accommodate a number of sewer units in excess of the number estimated for determining the betterment assessment, and/or (ii) been assessed to a developed parcel and later in time the use of that parcel is increased to accommodate a number of sewer units in excess of the number estimated for determining the betterment assessment, then the Town shall assess a compensatory sewer privilege fee to reflect the increased use. This fee shall be equivalent to the amount that would have been charged as a betterment assessment upon the additional uses or units at the time of the original assessment.

Apportionment of this fee shall be permitted only if specifically requested at the time of assessment and only for a period of ten (10) years or less. Apportioned sewer privilege fees shall bear interest at the same rate charged for the most recent Town sewer project betterments.

**Section 3. Laying out and payment for particular sewers connecting with common sewer or main drain and sewer privilege fee.**

(a) Whenever any land is connected with a common sewer or main drain laid out by the Sewer Commission in a public way, the Commission shall, at the expense of the Town, lay the particular sewer providing such connection from the common sewer or main drain to the boundary of the way. When a common sewer or main drain is constructed in a public way, the Sewer Commission may lay such particular sewers from the common sewer or main drain to the boundary of such way as may be necessary, in the opinion of the Sewer Commission, to connect land abutting on such way with such main drain or common sewer. The owner, of any land having direct access to a main drain or common sewer via a sewer constructed to the boundary of a public way as aforesaid, may make application to the Sewer Commission to connect any buildings on said land to the common sewer. Any such connection as may be approved by the Sewer Commission shall be in accordance with all rules and regulations as may be from time to time promulgated by the Sewer Commission.

(b) The owner, of any land benefited by the layout of a particular sewer from the common sewer to the boundary of the way, shall pay to the Town for the permanent privilege of using the same, such reasonable amount as the Sewer Commission may determine, under the provisions of M.G.L. c. 83 section 24 and; the amount so determined shall be assessed, certified and committed to the Town Treasurer by the Sewer Commission.

(c) Notwithstanding the provisions of Section 1 hereinabove and Sections 3(a) and (b), the owner(s) of a subdivision which pursuant to the regulations of the Planning Board who has/have been required to construct a sanitary sewer, shall not be assessed a sewer betterment fee but shall be assessed a sewer privilege fee on a per lot basis in lieu of a betterment. Such fee shall be assessed at the time that the subdivision dry sewer is connected to the main sewer and may be subject to apportionment. In addition, regardless of whether or not a subdivision is involved, any applicant for a sewer extension permit shall at the time such sewer extension is completed pay such privilege fee. The fee shall be determined by the Sewer Commission and shall not exceed forty (40) percent of betterment for the most recent Town sewer project.

**Section 4. Land not built upon; extension of time for assessment.**

Any land not built upon at the time of a sewer betterment assessment may upon application of the landowner receive an extension of time for the payment of the assessment until the land is built upon. Interest at the rate of four (4) percent per year shall be paid annually upon the assessment from the time it was made. The assessment shall be paid within three (3) months after such land is built upon.

**Section 5. Maintenance of Sewer Works**

**a. Main Drains and Common Sewers.**

It shall be the responsibility of the Sewer Department to maintain all main drains and common sewers in the Town of Lunenburg. Privately built main drains, common sewers, and appurtenances including pumps, pumping stations and force mains etc. shall not be maintained by the town unless and until said main drains, common sewers and all appurtenances have been accepted by the sewer commission and ownership of and, access to, said main drains, common sewers and appurtenances has been granted by the owner thereof to the Sewer Department.

**b. Sewer Services and Sewer Connections.**

It shall be the sole responsibility of the property owner to maintain all connection pipes and any other components necessary to connect the buildings or structures on said property to the main drain or common sewer including the physical connection ("Y" or "T" Connection or entry to a manhole) to the main drain or common sewer and the main or mains running from said main drain or common sewer to the property line of the property owner; or take any other action relative thereto. Submitted by the Sewer Commission. **Board of Selectmen recommends approval. (Vote 3-0 as Rob and Dan C. recused themselves)**

ARTICLE 23. To see if the Town will vote to amend Town Bylaw, Article XVIII, Section 1 by deleting in its entirety and substituting therefore a new Section 1 to read as follows: There is hereby established a local Council on Aging, consisting of eleven (11) voting members who shall be appointed by the Board of Selectmen from the registered voters of the Town of Lunenburg. The Chairman of the Council shall be elected by the members of the council at the annual meeting in June. The local Council on Aging shall be responsible to the Board of Selectmen, and its members shall serve without compensation, and within the limits of available funds. It may appoint such clerks and other employees as it may require with the approval of the Board of Selectmen. It shall be the duty of the local Council on Aging to carry out programs designed to meet the needs of the aging in coordination with programs of Executive Office of Elder Affairs established by the Commonwealth of Massachusetts and to submit an annual report to the Town and a copy thereof to said Executive Office; or take any other action relative thereto. Submitted by the Council on Aging & Board of Selectmen. **Board of Selectmen recommends approval.**

ARTICLE 24. To see if the Town will vote to re-authorize the establishment of an Ambulance Billing revolving fund in accordance with MGL Chapter 44, §53E½. The purpose of this fund will be to cover the cost associated with compensating third party advanced life support companies and third party billing companies that contract and supply services to the town. Five per cent (5%) of the total revenue generated by ambulance services rendered and 100% of the revenue generated by Advanced Life Support services rendered shall be deposited into said revolving fund. The proceeds of said Revolving Fund shall be expended by the Fire Department without further appropriation for the sole purpose of reimbursing the aforementioned companies for services rendered to the town; expenditures from the revolving fund may not exceed \$50,000 during the fiscal year without the approval of the Board of Selectmen and Finance Committee or take any other action relative thereto. Submitted by the Board of Selectmen. **Board of Selectmen recommends approval.**

ARTICLE 25. To see if the Town will vote to re-authorize a MGL Chapter 44, §53E½ Timber Rights revolving fund, such fund to be credited with the proceeds of sale by the Conservation Commission of the rights to harvest timber; funds in the account to be expended for

the acquisition of land for conservation purposes and associated costs of such acquisitions, including but not limited to appraisals and payment of accrued taxes; such funds may also be expended for improvements on land already under the custody and control of the Conservation Commission; the Conservation Commission may expend such funds without further appropriation; expenditures from the revolving fund may not exceed \$5,000 during the fiscal year without the approval of the Board of Selectmen and Finance Committee; or take any other action relative thereto. Submitted by the Board of Selectmen. **Board of Selectmen recommends approval.**

ARTICLE 26. To see if the Town will vote to re-authorize in accordance with MGL Chapter 44, §53E½, the Custodial Special Detail Revolving Fund, for the purpose of paying special detail salaries for outside functions. Charges and money received from outside organizations in connection with this program are to be deposited in said revolving fund and expended by the Lunenburg School Committee without further appropriation for the sole purpose of paying personnel for hours worked. Said revolving account expenditures shall not exceed \$25,000 per year without the approval of the Board of Selectmen and Finance Committee; or take any other action relative thereto. Submitted by the Board of Selectmen. **Board of Selectmen recommends approval.**

ARTICLE 27. To see if the Town will vote to re-authorize in accordance with MGL Chapter 44, §53E½, the Greenthumb Revolving Fund, to support the Greenthumb Program at Lunenburg High School. Fees, charges, and money received from sales of items in connection with this program are to be deposited in this Revolving Fund Account and expended for the operation of this program by the Lunenburg School Committee without further appropriation; said revolving account expenditures shall not exceed \$10,000 per year without the approval of the Board of Selectmen and Finance Committee; or take any other action relative thereto. Submitted by the Board of Selectmen. **Board of Selectmen recommends approval.**

ARTICLE 28. To see if the Town will vote to re-authorize in accordance with MGL Chapter 44, §53E½, the Council on Aging/Montachusett Area Regional Transit (MART) Elderly Transportation Revolving Fund; the operation of said account shall be conducted by the Council on Aging, and the Senior Center Director; funds in this account shall be spent on the dispatch, operation, maintenance and record keeping of the MART vehicles for the elderly transportation program; all receipts resulting from MART reimbursements shall be credited to this account; said revolving account expenditures shall not exceed \$26,000 per year without the prior approval of the Board of Selectmen and the Finance Committee; or take any other action relative thereto. Submitted by the Board of Selectmen. **Board of Selectmen recommends approval.**

ARTICLE 29. To see if the Town will re-authorize the establishment of a revolving fund in accordance with MGL Chapter 44, §53E½ to receive funds from library fines and penalties, donations and bequests up to \$12,000 said funds to be expended by the Trustees of Lunenburg Public Library for the purchase of library and information materials and document information and electronic data delivery charges expenditures from the revolving fund may not exceed \$12,000 during the fiscal year without the approval of the Board of Selectmen and Finance Committee; or take any other action relative thereto. Submitted by petition. **Board of Selectmen recommends approval.**

ARTICLE 30. To see if the Town will vote to amend the Zoning Bylaw Section 6.4. Driveways and Entrances by changing the words "Highway Superintendent" to "DPW Director" in Sections 6.4.2.1., 6.4.3.1.

And by Changing Section 6.4.3.5. by deleting the words "Entrance width, measured from the edge of the road surface to a point fifteen (15) feet into the applicant's property".

And substituting therefore "Driveway Access Road Width".

And by Changing the Residential Minimum width from 10 feet to 13 feet and the Retail Commercial, Commercial and Office Park and Industrial Districts Minimum width from 12 feet to 14 feet for one way and from 12 feet to 14 feet each way for Two Way.

And by adding a new Section 6.4.3.12. entitled Street Address Numbers to read as follows:

6.4.3.12. Street Address Numbers. A street address number shall be assigned by the Building Official and reviewed by the DPW Director and the Fire Chief for each structure.

a) The address number shall be assigned as required by the Enhanced 911 Emergency Communication System.

b) The street address number of each building to be accessed from an access road or driveway shall be posted at the entrance from the public way with numerals at least four inches high, visible from both directions.

c) A common driveway which splits to separate lots/residences shall have adequate signage with the street address number, and directional arrows shall be provided at the intersection of the drive with numbers at four inches high.

d) The street address number shall be posted on each residence or building in numbers at least four inches high. Submitted by the Planning Board. **Board of Selectmen recommendation @ Town Meeting.**

ARTICLE 31. To see if the Town will vote to amend the Lunenburg Zoning Bylaw so as to amend the zoning map to change the designation of each of the following described parcels of land from Residence A to Commercial.

Parcel 1 is located on the southerly side of Whalom Road in Lunenburg and is owned by Michael and Tammy Lovewell and is a portion of the premises shown on Assessors Map 91 Parcel 400 conveyed to the Lovewell's by deed recorded at the Worcester North registry of Deeds Book 03641 Page 061. Parcel 1 contains 49,863 square feet, more or less, and is more fully described as follows:

Beginning on the southerly side of Whalom Road, at a point about 55.31 feet west of Electric Avenue.

Thence S. 07° 19'48" E., two hundred seventy five and 14/100 feet (275.14') to a point at the land of Nancy Smith;

Thence N. 40° 05' 00"W., fifty eight and 62/100 feet (58.62') to a point;

Thence S. 51° 57' 43"W., two hundred and 33/100 feet (200.33') to a point;

Thence N. 36° 46' 09" W., one hundred sixty three and 31/100 feet (163.31') to a point on the southerly side of Whalom Road.

Thence N. 49° 28' 43" E., three hundred thirty nine and 63/100 feet (339.63') by Whalom Road to the point of beginning.

Said Parcel to contain 49,863 square feet more or less.

Parcel 2 is located on the northerly side of Kirby Avenue in Lunenburg and is owned by Nancy B. Smith and is a portion of the premises shown on Assessors Map 91 Parcel 838 conveyed to Nancy B. Smith by deed recorded in the Worcester North Registry of Deeds Book 1547 Page 552 and contains 13,148 square feet, more or less, and is more fully described as follows:

Beginning on the northerly side of Kirby Avenue, at a point about 118.90 feet west of Electric Avenue.

Thence N. 07° 19' 48" W., one hundred thirty and 78/100 feet (130.78') to a point at the land of Michael Lovewell;

Thence N. 40° 05' 00" W., fifty eight and 62/100 feet (58.62') to a point;

Thence S. 51° 57' 43" W., one hundred and 06 /100 feet (100.06') to a point;

Thence S. 40° 05' 05" E., one hundred seventy two and 172/100 feet (172.17') to a point on the northerly side of Kirby Avenue;

Thence N. 49° 55' 15" E., twenty-nine and 25/100 feet (29.25') by Kirby Avenue to the point of beginning.

Said Parcel to contain 13,148 square feet, more or less. Submitted by Petition. **Board of Selectmen recommendation @ Town Meeting.**

ARTICLE 32. To see if the Town will vote to "maintain ownership of the public way, which is the Whalom Lakefront. We also want to stop the Lunenburg Planning Board from making any deals with the developers without a vote of the citizens of the Town of Lunenburg. We the undersigned want this matter added to the town meeting agenda set for the spring of 2007." Submitted by Petition.

**And you are directed to serve this Warrant by posting attested copies thereof in four or more public places in the Town, fourteen (14) days at least before the day appointed for said meeting, one of which places shall be at the Town Hall, one at Whalom Variety Store in the Whalom-Bakerville District, one at Powell's, and one at Centre Pizza and Variety, and by mailing a copy to each dwelling unit in the Town in which a registered voter resides at least fourteen (14) days prior to such meeting.**

Hereof, fail not and make due return of this Warrant, with your doings thereon, to the Town Clerk at the time and place aforesaid.

Given under our hands, this tenth day of April in the year two thousand and seven.

A true copy attest:

Kathryn M. Herrick, Town Clerk

Robert H. Bowen, Chairman

Thomas A. Alonzo, Vice-Chairman

Steven M. deBettencourt, Clerk

Daniel W. Cronin, Member

Paula Bertram, Member

BOARD OF SELECTMEN

# ACT NOW -- SERVE YOUR COMMUNITY

Town government needs citizens who are willing to give time in the service of their community. The Talent Bank was adopted by the Selectmen and Moderator as a means of compiling names of interested citizens to serve, on a voluntary basis, on boards and committees. This file is available for use by the public as well as the Moderator and the Selectmen. Talent Bank files are being updated to include categories consistent with the changing needs of the Town. Indicate your order of preference and return the form below to:

**Town Government Talent Bank c/o Board of Selectmen**

**P.O. Box 135, Lunenburg, MA 01462**

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Name: \_\_\_\_\_

Date: \_\_\_\_\_

Address: \_\_\_\_\_

Precinct No: \_\_\_\_\_

Occupation: \_\_\_\_\_

Telephone: \_\_\_\_\_

Background:

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## **AREAS OF INTEREST (List Order of Preference)**

\_\_\_\_ **Assessment**

\_\_\_\_ **Health**

\_\_\_\_ **Capital Planning**

\_\_\_\_ **Historical**

\_\_\_\_ **Communications/Cable**

\_\_\_\_ **Housing**

\_\_\_\_ **Computers**

\_\_\_\_ **Local Arts**

\_\_\_\_ **Conservation/Environmental**

\_\_\_\_ **Parks and Recreation**

\_\_\_\_ **Council on Aging**

\_\_\_\_ **Personnel**

\_\_\_\_ **Education**

\_\_\_\_ **Planning/Building**

\_\_\_\_ **Finance Committee**

\_\_\_\_ **Zoning/Appeals**

Town of Lunenburg  
P.O. Box 135  
Lunenburg, MA 01462-0135

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Lunenburg, MA  
Permit No. 8

# **RESIDENTIAL CUSTOMER**

## **LOCAL 01462**

**ANNUAL TOWN MEETING**  
LUNENBURG HIGH SCHOOL  
MAY 5, 2007  
9:00 A.M.

**TOWN ELECTION**  
ELEMENTARY SCHOOL  
MAY 19, 2007  
7:00 A.M. - 5:00 P.M.

**PLEASE BRING THIS WARRANT WITH YOU TO  
TOWN MEETING, Saturday, May 5, 2007 @ 9:00 A.M.**